

JULIO PICHARDO
1201 E SUDENE AVE
FULLERTON CA 92831

UNITED STATE BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK



_____)	
RE: GMAC DOCUMENT)	CASE NO. 12-12020
)	
ACTION AGAINST)	ACTION FILED AGAINST OCWEN LOAN
OCWEN LOAN SERVICING)	LOAN SERVICING FOR BREACHES & VIOLATIONS
)	
)	
)	
_____)	

TO THE HONORABLE JUDGE: MARTIN GLENN.

IN THE ABOVE CALIFORNIA ACTION WITH AMENDED COMPLAINT, THE COURT IN CASE NO. 30-2012-00581642 HAS ACKNOWLEDGED RESIDENTIAL CAPITAL BANKRUPTCY STAY.

ENCLOSED YOU MAY FIND CONFERENCES SCHEDULED BY JUDGE MOSS & JUDGE AGUIRRE, IN WHICH THEY REQUESTED BANRUPTCY STATUS FROM GMAC REPRESENTATIVES.

COUNSEL FOR GMAC IS ALSO COUNSEL OF RECORD FOR OCWEN LOAN SERVICING, IN THE ABOVE ENTITLED MATTER.

AS OCWEN HAS CHOSEN NOT TO COMPLY WITH TERMS CONTRACT BREACHING SUCH, & HAS OPPOSED EVERY ATTEMPT FROM PLAINTIFF TO INPOSE SUCH DOCUMENTS, IN ADDITION TO OTHER VIOLATIONS, ACTION WAS COMMENCED AGAINST OCWEN

AS YOUR COURT HAD RULED 4/24/2013 " MATTER OUT OF JURISDICTION", IN AS MUCH AS DOCUMENTS, NECESSARY ACTION AGAINST OCWEN WAS COMMENCED AS DOE #1. NO ACTION HAS BEEN TAKEN AGAINST GMAC, ALWAYS ADVISING CALIFORNIA COURT OF GMAC STAY.

IN EVERY STEP OF THE WAY OCWEN LOAN SERVICING HAS TRIED TO ELUDE RESPONSIBILITY FOR DOCUMENTS OBTAINED THROUGH BANKRUPTCY COURT.

OCWEN BREACHES WAS & IS OUT OF THIS COURT'S JURISDICTION, AND SINCE OCWEN DOES NOT COMPLY BEACHING & OBMITTING HAS CUASED PLAINTIFF CONSIDERABLE FINANCIAL HARDSHIP. BY IT OWN ACTIONS OCWEN HAS CAUSED MORE IRREPARABLE HARM TO ME & MY FAMILY.

AS SEEN IN COURTS CONFERENCE SCHEDULING HAS BEEN DONE BY THE COURTS THEMSELVES TO ACQUIRE STAY STATUS, EVEN WITH COUNSEL PRESENT. VIA TELEPHONICALLY.

JULIO PICHARDO HAS COMPLIED WITH YOUR COURT STAY REGULATIONS & EVERY DOCUMENT CITES STAY.

SHOULD OCWEN TAKE THE RESPONSIBILITY TO COMFORM TO DOCUMENTS OBTAINED IN THIS COURT, IT WOULD NOT BE UNECESSARY TO ADDRESS SUCH AT THIS TIME.

OCWEN COUNSEL HAS ADVISED SUBMITTING NOTICE TO BANKRUPTCY COURT OF CALIFORNIA ACTION.

OCWEN INCOMPLIANCE NOW WOULD LIKE TO ASSERT TO YOUR COURT THAT THERE HAS BEEN ACTION THAT VIOLATES STAY.

NOTHING IS FURTHER FROM THE TRUTH.

THE ONLY REFERENCE MADE IN COMPLAINT IS THAT THIS DOCUMENT WAS OBTAINED FROM GMAC WHO OWNED THIS LOAN. ALL OTHER MATTERS HAVE BEEN DIRECTED TO OCWEN ACTIONS.

HOPEFULLY; WITH YOUR HONOR'S WISDOM WILL SEE THAT CONTINUED HARM IS BEING PERPETRATED ON ME & MY FAMILY.

BUT IN SPITE OF THIS, THE STAY IS BEING OBSERVED. CALIFORNIA JUDGES HAVE NOT PROCEEDED ON (GMAC) RESIDENTIAL CAPITAL DUE TO STAY, UNTIL YOUR COURT ADVISES SO.

SHOULD SUMMARY BE REQUIRED BY CALIFORNIA COURT, IN ACKNOWLEDGING STAY, FEEL FREE TO REQUEST IT. COPY OF ENCLOSED COURTS SCHEDULE RECORD SHOULD SUFFICE.

I SUBMITT THAT ALL OFFENSES HAVE BEEN COMITTED AGAINST US.

AT NO TIME HAVE WE CAUSED ANYONE HARM OR EVIL INTENT.

ALL ACTION WAS BROUGHT ABOUT AGAINST OCWEN FOR OBMISSION, & OFFENSES COMITTED SINCE FEBRUARY 2013 TO PRESENT DATE.

YOU MAY FIND SOME EVIDENCE SHOWING OCWEN'S AGRIGOUS OFFENSES.

SHOULD THERE BE ANY SUGGESTIONS TO BE RELAYED TO CALIFORNIA'S COURT, PLEASE INFORM ME.

THANK YOU FOR YOUR UNDERSTANDING IN SUCH IMPORTANT MATTER.

JULIO PICHARDO



Case Summary:

Case Id:	30-2012-00581642-CU-CL-CJC
Case Title:	JULIO PICHARDO VS. GMAC MORTGAGE
Case Type:	OTHER COLLECTIONS
Filing Date:	07/06/2012
Category:	CIVIL - UNLIMITED

Register Of Actions:

ROA	Docket	Filing Date	Filing Party	Document	Select
1	COMPLAINT FILED BY PICHARDO, JULIO ON 07/06/2012	07/06/2012		7 pages	<input type="checkbox"/>
2	CIVIL CASE COVER SHEET FILED BY PICHARDO, JULIO ON 07/06/2012	07/06/2012		2 pages	<input type="checkbox"/>
3	REQUEST TO WAIVE COURT FEES FILED BY PICHARDO, JULIO ON 07/06/2012	07/06/2012		NA	
4	CASE ASSIGNED TO JUDICIAL OFFICER MOSS, ROBERT ON 07/06/2012.	07/06/2012		1 pages	<input type="checkbox"/>
5	PICHARDO, JULIO REQUEST TO WAIVE COURT FEES GRANTED IN WHOLE ON 07/06/2012.	07/06/2012		2 pages	<input type="checkbox"/>
6	SUMMONS ISSUED AND FILED FILED BY PICHARDO, JULIO ON 07/06/2012	07/06/2012		1 pages	<input type="checkbox"/>
7	CASE MANAGEMENT CONFERENCE SCHEDULED FOR 11/05/2012 AT 08:30:00 AM IN C23 AT CENTRAL JUSTICE CENTER.	07/09/2012		2 pages	<input type="checkbox"/>
8	PROOF OF SERVICE OF SUMMONS FILED BY PICHARDO, JULIO ON 07/16/2012	07/16/2012		1 pages	<input type="checkbox"/>
9	PAYMENT RECEIVED BY FOR 195 - ANSWER OR OTHER 1ST PAPER IN THE AMOUNT OF 435.00, TRANSACTION NUMBER 11193851 AND RECEIPT NUMBER 11017743.	07/30/2012		1 pages	<input type="checkbox"/>
10	NOTICE OF STAY (BANKRUPTCY) FILED BY GMAC MORTGAGE ON 07/30/2012	07/30/2012		24 pages	<input type="checkbox"/>
11	REVIEW HEARING SCHEDULED FOR 07/15/2013 AT 08:30:00 AM IN C23 AT CENTRAL JUSTICE CENTER.	11/05/2012		NV	
12	THE REVIEW HEARING IS SCHEDULED FOR 07/15/2013 AT 08:30 AM IN DEPARTMENT C23.	11/05/2012		NV	
13	MINUTES FINALIZED FOR CASE MANAGEMENT CONFERENCE 11/05/2012 08:30:00 AM.	11/05/2012		1 pages	<input type="checkbox"/>
14	E-FILING TRANSACTION 2158547 RECEIVED ON 11/06/2012 09:14:13 AM.	11/09/2012		NV	
15	NOTICE OF HEARING FILED BY GMAC MORTGAGE ON 11/06/2012	11/06/2012		3 pages	<input type="checkbox"/>
16	CORRESPONDENCE	01/23/2013		18 pages	<input type="checkbox"/>
17	SUBSTITUTION OF ATTORNEY FILED BY PICHARDO, JULIO ON 07/15/2013	07/15/2013		2 pages	<input type="checkbox"/>

ROA	Docket	Filing Date	Filing Party	Document	Select
18	CMC: BANKRUPTCY REMOVAL SCHEDULED FOR 12/16/2013 AT 08:30:00 AM IN C23 AT CENTRAL JUSTICE CENTER.	07/15/2013		NV	
19	THE CMC: BANKRUPTCY REMOVAL IS SCHEDULED FOR 12/16/2013 AT 08:30 AM IN DEPARTMENT C23.	07/15/2013		NV	
20	MINUTES FINALIZED FOR REVIEW HEARING 07/15/2013 08:30:00 AM.	07/15/2013		1 pages	<input type="checkbox"/>
21	E-FILING TRANSACTION 339914 RECEIVED ON 07/18/2013 03:53:49 PM.	07/19/2013		NV	
22	NOTICE OF HEARING FILED BY GMAC MORTGAGE ON 07/18/2013	07/18/2013		3 pages	<input type="checkbox"/>
23	AMENDMENT TO COMPLAINT FILED BY PICHARDO, JULIO ON 10/23/2013	10/23/2013		1 pages	<input type="checkbox"/>
24	PROOF OF PERSONAL SERVICE FILED BY PICHARDO, JULIO ON 11/01/2013	11/01/2013		5 pages	<input type="checkbox"/>
25	PROOF OF SERVICE FILED BY PICHARDO, JULIO ON 11/01/2013	11/01/2013		1 pages	<input type="checkbox"/>
26	E-FILING TRANSACTION 2291764 RECEIVED ON 11/11/2013 11:46:58 AM.	11/12/2013		NV	
27	DEMURRER TO COMPLAINT FILED BY OCWEN LOAN SERVICING ON 11/12/2013	11/12/2013		12 pages	<input type="checkbox"/>
28	REQUEST FOR JUDICIAL NOTICE FILED BY OCWEN LOAN SERVICING ON 11/12/2013	11/12/2013		21 pages	<input type="checkbox"/>
29	PROPOSED ORDER RECEIVED ON 11/12/2013.	11/12/2013		4 pages	<input type="checkbox"/>
30	PAYMENT RECEIVED BY FOR 195 - ANSWER OR OTHER 1ST PAPER, 210 - COURT REPORTING SERVICES IN CIVIL PROCEEDINGS LASTING UNDER 1 HOUR IN THE AMOUNT OF 465.00, TRANSACTION NUMBER 11494330 AND RECEIPT NUMBER 11318242.	11/12/2013		1 pages	<input type="checkbox"/>
31	DEMURRER TO COMPLAINT SCHEDULED FOR 02/07/2014 AT 10:00:00 AM IN C23 AT CENTRAL JUSTICE CENTER.	11/12/2013		NV	
32	OPPOSITION FILED BY PICHARDO, JULIO ON 11/15/2013	11/15/2013		45 pages	<input type="checkbox"/>
33	E-FILING TRANSACTION 4111882 RECEIVED ON 11/22/2013 02:57:19 PM.	11/25/2013		NV	
34	REPLY TO OPPOSITION FILED BY GMAC MORTGAGE; OCWEN LOAN SERVICING ON 11/22/2013	11/22/2013		5 pages	<input type="checkbox"/>
35	PROOF OF SERVICE BY MAIL (RE OPPOSITION) FILED BY PICHARDO, JULIO ON 11/22/2013	11/22/2013		5 pages	<input type="checkbox"/>
36		11/25/2013		2 pages	<input type="checkbox"/>

ROA	Docket	Filing Date	Filing Party	Document	Select
	REPLY TO OPPOSITION FILED BY PICHARDO, JULIO ON 11/25/2013				
37	PROOF OF SERVICE BY MAIL (REPLY TO OPPOSITION) FILED BY PICHARDO, JULIO ON 11/25/2013	11/25/2013		2 pages	<input type="checkbox"/>
38	REPLY TO OPPOSITION FILED BY PICHARDO, JULIO ON 12/02/2013	12/02/2013		2 pages	<input type="checkbox"/>
39	PROOF OF SERVICE BY MAIL FILED BY PICHARDO, JULIO ON 12/02/2013	12/02/2013		3 pages	<input type="checkbox"/>
40	CASE REASSIGNED TO FREDERICK AGUIRRE EFFECTIVE 01/06/2014.	12/16/2013		2 pages	<input type="checkbox"/>
41	CMC: BANKRUPTCY REMOVAL SCHEDULED FOR 02/07/2014 AT 08:30:00 AM IN C23 AT CENTRAL JUSTICE CENTER.	12/16/2013		NV	
42	CMC: BANKRUPTCY REMOVAL CONTINUED TO 02/07/2014 AT 08:30 AM IN THIS DEPARTMENT.	12/16/2013		NV	
43	MINUTES FINALIZED FOR CMC: BANKRUPTCY REMOVAL 12/16/2013 08:30:00 AM.	12/16/2013		1 pages	<input type="checkbox"/>
44	CLERK'S CERTIFICATE OF SERVICE BY MAIL OC GENERATED	12/16/2013		1 pages	<input type="checkbox"/>
45	PROOF OF SERVICE FILED BY PICHARDO, JULIO ON 12/30/2013	12/30/2013		9 pages	<input type="checkbox"/>
46	CMC: BANKRUPTCY REMOVAL REASSIGNED TO C23 AT CENTRAL JUSTICE CENTER ON 02/07/2014 AT 08:30:00 AM.	01/06/2014		NV	
47	DEMURRER TO COMPLAINT REASSIGNED TO C23 AT CENTRAL JUSTICE CENTER ON 02/07/2014 AT 10:00:00 AM.	01/06/2014		NV	
48	NOTICE - OTHER (BANKRUPTCY EMERGENCE OF GMAC RES CAP, LLC) FILED BY PICHARDO, JULIO ON 01/23/2014	01/23/2014		6 pages	<input type="checkbox"/>
49	CMC: BANKRUPTCY REMOVAL SCHEDULED FOR 05/19/2014 AT 08:30:00 AM IN C23 AT CENTRAL JUSTICE CENTER.	02/07/2014		NV	
50	CMC: BANKRUPTCY REMOVAL CONTINUED TO 05/19/2014 AT 08:30 AM IN THIS DEPARTMENT.	02/07/2014		NV	
51	MINUTES FINALIZED FOR CMC: BANKRUPTCY REMOVAL 02/07/2014 08:30:00 AM.	02/07/2014		2 pages	<input type="checkbox"/>
54	CMC: BANKRUPTCY REMOVAL SCHEDULED FOR 05/19/2014 AT 08:30:00 AM IN C23 AT CENTRAL JUSTICE CENTER.	02/07/2014		NV	
55	CMC: BANKRUPTCY REMOVAL CONTINUED TO 05/19/2014 AT 08:30 AM IN THIS DEPARTMENT.	02/07/2014		NV	
56		02/07/2014		2 pages	<input type="checkbox"/>

ROA	Docket	Filing Date	Filing Party	Document	Select
	MINUTES FINALIZED FOR CMC: BANKRUPTCY REMOVAL 02/07/2014 08:30:00 AM.				
57	E-FILING TRANSACTION 4143939 RECEIVED ON 02/10/2014 10:54:07 AM.	02/11/2014		NV	
58	NOTICE OF HEARING FILED BY OCWEN LOAN SERVICING ON 02/10/2014	02/10/2014		3 pages	<input type="checkbox"/>
59	NOTICE OF RULING FILED BY OCWEN LOAN SERVICING ON 02/10/2014	02/10/2014		3 pages	<input type="checkbox"/>
60	AMENDED COMPLAINT (FIRST) FILED BY PICHARDO, JULIO ON 02/24/2014	02/24/2014		29 pages	<input type="checkbox"/>
61	E-FILING TRANSACTION 2313642 RECEIVED ON 02/27/2014 03:24:38 PM.	02/28/2014		NV	
62	NOTICE - OTHER (OF BANKRUPTCY) FILED BY GMAC MORTGAGE; OCWEN LOAN SERVICING ON 02/27/2014	02/27/2014		25 pages	<input type="checkbox"/>

Participants:

Name	Type	Assoc	Start Date	End Date
GMAC MORTGAGE	DEFENDANT		07/06/2012	
SEVERSON & WERSON	ATTORNEY		11/12/2013	
BAHADORI & THOMAS, LLP	ATTORNEY		07/06/2012	
JULIO PICHARDO	PLAINTIFF		07/06/2012	
OCWEN LOAN SERVICING	DEFENDANT		10/23/2013	

Hearings:

Description	Date	Time	Department	Judge
CMC: BANKRUPTCY REMOVAL	05/19/2014	08:30	C23	AGUIRRE
DEMURRER TO COMPLAINT	02/07/2014	10:00	C23	AGUIRRE

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2. Plaintiff is informed and believes and based thereon alleges that Defendant GMAC MORTGAGE ("GMAC") is a residential lending service company authorized to do business in the State of California, including the County of Orange. Plaintiff is further informed and believes and based thereon alleges that in May 2012, Defendant GMAC MORTGAGE entered into Chapter 11 Bankruptcy.

3. Plaintiff is informed and believes and based thereon alleges that Defendant OCWEN LOAN SERVICING ("OWEN") sued herein as DOE 1 is a residential lending service company authorized to do business in the State of California, including the Count of Orange. Plaintiff is further informed and believes and based thereon alleges that OCWEN LOAN SERVICING purchased the mortgage portfolio of Defendant GMAC MORTGAGE and serviced the loans of former GMAC customers, including Plaintiff.

4. Plaintiff is ignorant of the true names and capacities of defendants sued as DOES 2 through 100, inclusive, and therefore sues these defendants by such fictitious names. Plaintiff believes that each fictitiously sued defendant was in some way responsible for the acts alleged in the complaint. Plaintiff will amend his complaint to allege the true names and capacities when ascertained.

FACTUAL ALLEGATIONS

5. Plaintiff is an individual with modest means and limited fixed income.

6. In 1991 Plaintiff purchased the real property located at 1201 East Sudene Avenue, Fullerton, California 92831.

7. On or about August 5, 2009, after months of negotiation and proof of financial hardship Plaintiff received preliminary approval from GMAC Mortgage for a loan modification